

## COASTAL CONSERVANCY

Staff Recommendation  
December 5, 2013

### POLE MOUNTAIN ACQUISITION

Project No. 13-035  
Project Manager: Lisa Ames

**RECOMMENDED ACTION:** Authorization to disburse up to \$350,000 to the Sonoma Land Trust for the acquisition of the approximately 238-acre Pole Mountain property in western Sonoma County.

**LOCATION:** Muniz Ranch Road, north of the Russian River, between Jenner Headlands and Little Black Mountain Preserve, unincorporated western Sonoma County (Exhibit 1)

**PROGRAM CATEGORY:** S.F. Bay Area Conservancy Program

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#### **EXHIBITS**

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Project Photos](#)

Exhibit 3: [Upland Habitat Goals Biodiversity Portfolio Report](#)

Exhibit 4: [Project Letters](#)

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#### **RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$350,000 (three hundred fifty thousand dollars) to Sonoma Land Trust (“SLT”) to acquire the ~238-acre Pole Mountain property (Sonoma County Assessor’s Parcel Nos. 107-190-042, -043; 107-200-020, -021, & -022). This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, SLT shall submit for review and approval of the Executive Officer of the Conservancy (the “Executive Officer”):
  - a. All relevant acquisition documents, including, without limitation, appraisals, environmental assessments, title reports, purchase agreements, escrow instructions and documents of title.
  - b. Documentation that all other funds necessary for the acquisition have been obtained.
2. SLT shall pay no more than fair market value for the property, as established in an approved

appraisal.

3. SLT shall permanently dedicate the property for the purposes of protecting open space and water quality, restoring wildlife habitat, including existing salmonid habitat and providing compatible, low-impact public access, in a manner acceptable to the Executive Officer.
4. Conservancy funding shall be acknowledged by erecting and maintaining on the property a sign, the design and placement of which has been reviewed and approved by the Executive Officer.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed project is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165.
3. The grantee (SLT) is a private nonprofit organizations existing under section 501(c)(3) of the U.S. Internal Revenue Service, and its purposes are consistent with Division 21 of the Public Resources Code.”

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### **PROJECT SUMMARY:**

Staff recommends the Conservancy authorize the disbursement of up to \$350,000 to the Sonoma Land Trust (SLT) to acquire the 238-acre Pole Mountain property to protect it from development and habitat fragmentation. This authorization will enable SLT to leverage Conservancy funds to complete the purchase of this \$2.35 million property. This project will achieve multiple objectives for both wildlife and human users through natural resource and wildlife habitat protection and expansion and enhancement of public use opportunities.

Pole Mountain is the essential wildlife and recreational corridor connection between two existing preserves, the 5,630-acre Jenner Headlands property to the south and the 500-acre Little Black Mountain (LBM) Preserve to the north. (See Exhibit 1). Pole Mountain lies within the Russian River watershed, contains the headwaters of three important salmonid streams, and, with an elevation of 2,204 feet, is the highest point on the Sonoma Coast – second in this coastal region only to Mt. Tamalpais in Marin County. Pole Mountain is also home to one of the last remaining volunteer fire lookouts in the State, which serves an extremely important community service during the fire season. If not protected, the property will be sold and developed into four rural residential estate parcels, with opportunities for hobby vineyard development.

From a recreational standpoint, the acquisition of Pole Mountain will provide an unparalleled opportunity to hike from the shores of the Pacific up to the top of the ridge, where visitors are provided an unobstructed view of Sonoma County and beyond. From a natural resource perspective, the property is the essential biotic connection between Jenner Headlands with LBM

Preserve, creating over 6,350 acres of contiguous, protected habitat. With California State Parks owning the mouth of Russian Gulch, the protection of Pole Mountain would preserve a large, intact area of diverse habitats from the tide pools and estuary in the State Park, to the coastal prairie and Redwood/Douglas fir forests on the Jenner Headlands, up to the oak savanna of Pole Mountain and beyond to the dryer younger forests of Little Black Mountain.

SLT has a strong track record of negotiating, planning and managing large complex transactions and land management projects, including the Sonoma Baylands and the Jenner Headlands – two projects in which the Coastal Conservancy has participated. SLT will develop an adaptive management plan for Pole Mountain which will be designed to enhance the natural resources, protect the cultural resources and provide appropriate public access. SLT will coordinate the plan with ongoing management efforts at Jenner Headlands and Little Black Mountain Preserve. The Wildlands Conservancy is SLT's managing partner on the Jenner Headlands, and SLT will likely continue this collaboration on Pole Mountain as well. Concurrent with the acquisition process, SLT is seeking stewardship funds for the first five years of operations.

### **Site Description:**

At 2,204 feet, Pole Mountain is the highest peak of the Sonoma Coast range with an extraordinary unobstructed 360-view of Sonoma County and beyond. (Exhibit 2). The 238-acre property contains several elongated ridges and saddles that extend out from the Pole Mountain peak and provide variable topographic features ranging from gentle rises to steep drops to the properties below. These topographical variations contribute to diverse and high-quality habitats and form the headwaters of three important salmonid streams within the Russian River watershed: Kidd Creek, Pole Mountain Creek and Russian Gulch Creek. The Pole Mountain property connects two large tracts of rich diversity and protected lands, the 5,630-acre Jenner Headlands property to the south and the 500-acre Little Black Mountain Preserve to the north. Pole Mountain is also home to one of the last remaining volunteer fire lookouts in California, which serves an extremely important community service during the fire season.

With the exception of the fire lookout, the site is vacant land and has experienced limited human use since prehistoric Native American habitation. There was logging in the pockets of coniferous forests, similar to the intensity of other redwood/Douglas fir forests on the North Coast. The entire property was burned in the 1978 Creighton Ridge fire, but many of the ancient oaks and other trees survived. Currently, a local rancher leases the land for low-intensity cattle grazing, which has led to very robust oak regeneration beneath the mature oak trees.

The majority of Pole Mountain is a mature oak savannah with ancient oaks, bays and madrones. Other habitats include oak woodland, open grasslands, pockets of coniferous forests, and wetlands, ponds, seeps and streams with associated riparian habitats. While a biological assessment has not been conducted on the property, the landowners have confirmed the presence of mountain lion, deer, bobcat, badger, fox, golden eagles, ground squirrels and many other birds, mammals, amphibians, reptiles and insects. Recent stream inventories of Pole Mountain Creek and Kidd Creek have found Pacific steelhead, sculpin, crayfish, pacific giant salamander, newt, and Foothill yellow-legged frog. Likely special status wildlife species include Northern spotted owl and Willow flycatcher in addition to the confirmed Golden eagle and Foothill yellow-legged frog. Special status plant species found on the property will most likely include Serpentine daisy and Pacific gilia.

The Bay Area Upland Habitat Goals Project<sup>1</sup> and the Conservation Lands Network<sup>2</sup> rate the property as an Area Essential to Conservation Goals because of the significance of the adjacency to conservation lands and the presence of priority streams. (Exhibit 3)

### **Project History:**

The current landowners purchased the property approximately ten years ago and have used it primarily for private recreation. It is leased to a local rancher who grazes the land with a small cow/calf operation.

Pole Mountain has been a priority project for the Sonoma Land Trust since 2005, when it began working on the Jenner Headlands project. In fact, early project designs initially included Pole Mountain as part of the Jenner Headlands acquisition, until the landowners changed their minds and decided not to sell it at that time. Since then, SLT has been in regular, intermittent conversations with the landowners. In December of 2012, the landowners indicated a willingness to sell, and SLT negotiated and secured a Purchase Agreement in June of 2013. The owners purchased the property in 2005 for \$2.6 million. In December of 2012, the asking price for the property was \$2.7 million. The current purchase price is \$2.35 million, which is supported by an appraisal of the property. The project is directly adjacent to the Jenner Headlands, which the Coastal Conservancy and the Wildlife Conservation Board (WCB) funded with grants totaling \$16 million toward the \$36 million purchase price. It is also located in close proximity to other projects funded by SCC and WCB, including Willow Creek and Poff Ranch.

### **PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$350,000</b>
Sonoma County Agricultural Preservation and Open Space District	\$1,000,000
Wildlife Conservation Board (pending)	\$650,000
David and Lucile Packard Foundation	\$350,000
Sonoma Land Trust	<u>\$35,000</u>
 <b>Total Project Costs</b>	 <b>\$2,385,000</b>

SLT is contributing the staff time, as well as the transactional costs, including the cost of the appraisal, Phase I Environmental Assessment, escrow fees, title insurance, and sufficient private funding to be in a strong position to own and manage Pole Mountain. As with all of SLT's fee title acquisitions, SLT will secure funds to conduct resource assessments and develop a management plan for the property within the first two years of ownership.

The proposed Conservancy funding source is funds appropriated to the San Francisco Bay

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<sup>1</sup> See [http://openspacecouncil.org/upload/files/ug\\_cc\\_11\\_1\\_10\\_final.pdf](http://openspacecouncil.org/upload/files/ug_cc_11_1_10_final.pdf) (last visited on October 10, 2013).

<sup>2</sup> See [http://www.bayarealands.org/upload/files/20110602125011\\_SonomaCoast.pdf](http://www.bayarealands.org/upload/files/20110602125011_SonomaCoast.pdf) (last visited on October 10, 2013).

Conservancy Program in fiscal year 2008/9 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). This funding source may be used to carry out projects, like this one, pursuant to Chapter 4.5 of the Conservancy's enabling legislation, Division 21 of the Public Resources Code section 75060(c). Consistent with this chapter, the proposed acquisition will protect and allow for future restoration of open-space resources and help to preserve the natural habitat values of lands in the southern Sonoma County, as discussed in the next section below.

For acquisition projects that protect natural resources such as this, Proposition 84 requires the Conservancy to assess whether the project meets criteria specified in Section 75071. The proposed acquisition satisfies three of the specified criteria: 1) the project will link to existing protected areas with other large blocks of protected habitat and serve to facilitate wildlife movement, botanical transfer, and result in sustainable, combined acreage; 2) the project will contribute to long-term protection of, and improvement to the water and biological quality of streams within a "priority watershed"; and 3) the project is supported by significant non-state matching funds. As also required by Section 75071, Conservancy staff have submitted to the Resources Agency and have posted on the [Conservancy's website](#) an explanation as to how the proposed acquisition meets the criteria of that section.

#### **CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

The proposed project is consistent with the provisions of Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165, which authorizes the Conservancy to award grants in the nine-county San Francisco Bay Area to help achieve stated goals. Specifically, the proposed project, located in coastal Sonoma County, supports the program goals as stated in more detail below.

Section 31162(a) authorizes the Conservancy to improve public access in a manner that is consistent with the rights of private property owners and will not have a significant adverse impact on agriculture, environmentally sensitive areas and wildlife. The proposed project will improve public access, has a willing seller, and will be sited and designed to avoid adverse impacts to agriculture, environmentally sensitive areas and wildlife (see "Project Description" section for additional information).

Section 31162(b) authorizes the Conservancy to award grants to protect, restore, and enhance natural habitats and connecting corridors, watersheds, scenic areas and other open space resources of regional importance. The proposed acquisition project will protect and enhance the Pole Mountain property, which, combined with the surrounding natural areas, creates a regionally significant and scenic wildlife and habitat corridor in the Russian River watershed.

In addition, the project satisfies all of the five criteria for determining project priority under Section 31163(c), as follows: 1) the project is fully consistent with and supported by adopted local plans, including the *2020 Sonoma County General Plan* as described in the Consistency with Local Coastal Program Policies below; 2) the project serves a multi-jurisdictional constituency, since it will preserve open space and scenic areas for the enjoyment of both local residents and visitors who come from across the region and the nation to the Sonoma coastal area (see the discussion in Conservancy Strategic Plan section below); 3) the project can be

implemented in a timely fashion: once funded, the acquisition is expected to occur within six months; 4) in the event the project is not implemented promptly, the opportunity for completion of the purchase of the property may be lost and potential development could occur; and 5) the Conservancy funding for the easement acquisition is matched by local, state and private sources of funding.

**CONSISTENCY WITH CONSERVANCY'S 2007  
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 4, Objective A**, the proposed project will protect up to 238 acres of a significant coastal and watershed resource property.

Consistent with **Goal 4, Objective C**, the project will preserve and restore a fish and wildlife corridor between core habitat areas along the coast and from coastal to inland habitat areas.

Consistent with **Goal 5, Objective D**, the acquisition will preserve and enhance a portion of the Russian River coastal watershed.

Consistent with **Goal 11, Objective B**, the proposed project will protect a wildlife corridor, scenic area and an open space resource of regional importance.

Consistent with **Goal 12, Objective C**, the proposed project will increase the amount of land accessible by the public and provide a trail corridor between two significant protected areas.

**CONSISTENCY WITH CONSERVANCY'S  
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, adopted on November 10, 2011, in the following respects:

**Required Criteria**

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** SLT has received informal verbal support for the acquisition of Pole Mountain from numerous organizations, agencies, neighbors and community groups, as well as state, federal and local elected officials. SLT is currently seeking support letters from elected officials, and the following organizations: Sonoma County Agricultural Preservation and Open Space District, The Wildlands Conservancy, Pole Mountain Lookout, Muniz Ranch Homeowners Association, Jenner Community Club, California Department of Parks and Recreation, Sonoma County Regional Parks Department, CAL FIRE, and Stewards of the Coast and Redwoods. Letters of support are included in Exhibit 4.

4. **Location:** The proposed project is located in Sonoma County, one of the nine Bay Area counties.
5. **Need:** Fragmentation and threat of development of the property is imminent. Without the funding from the Conservancy for this acquisition, fundraising to purchase the property would not occur and the property will be sold on the open market, where there is a high demand for scenic Sonoma coastal homesites. In 1976, the property was subdivided into four legal parcels. Each of these parcels is highly suitable for rural residential estate development. The property to the west of Pole Mountain is the 40-lot Muniz Ranch subdivision, with parcels ranging in size from 40 to 60 acres. Within these parcels, landowners have constructed large homes with associated outbuildings and uses, such as vineyards and orchards. Similarly, to the north of Little Black Mountain, rural residential parcelization is occurring with conversions to vineyard. Residential development and vineyards will fragment the habitat and eliminate a key wildlife and hiking corridor between Jenner Headlands and LBM Preserve.
6. **Greater-than-local interest:** The Sonoma Coast, and its associated parks and protected lands, is a national destination visited by over 3 million people each year. The project is located within a network of over 20,000 acres of protected lands, including Jenner Headlands, Little Black Mountain Preserve, Sonoma Coast State Beach, Fort Ross State Park, Bodega Head, and Doran Beach Regional Park. From a recreational standpoint, Pole Mountain provides an unparalleled opportunity to hike from the shores of the Pacific up to the top of the ridge, where visitors are provided an unobstructed view of Sonoma County and beyond. From a resource perspective, the Property is the essential connection between Jenner Headlands with LBM Preserve, creating over 6,350 acres of contiguous, protected habitat. With California State Parks owning the mouth of Russian Gulch, the protection of Pole Mountain would preserve a large, intact area of diverse habitats from the tide pools and estuary in the State Park, to the coastal prairie and Redwood/Douglas fir forests on the Jenner Headlands, up to the oak savanna of Pole Mountain and beyond to the dryer younger forests of Little Black Mountain, (which is still recovering from the effects of the devastating 1978 Creighton Ridge wildfire). The diversity of habitat in this wide swath of land from sea level to the highest point along this part of the Sonoma Coast (2,204 feet) will provide wildlife with room to adapt to the effects of climate change, and unlimited access for research and education over time.
7. **Sea level rise vulnerability:** Pole Mountain is at an elevation of over 2000 feet and is thus not vulnerable to impacts from projected sea level rise.

### **Additional Criteria**

1. **Urgency:** As described in the “Need” and “Project History” sections above, this property will succumb to development pressures unless the SLT is able to acquire the property as soon as possible.
2. **Resolution of more than one issue:** The project will prevent development and habitat fragmentation, preserve and enhance natural habitats for sensitive and endangered species and provide opportunities for public access and recreation.
8. **Leverage:** See the “Project Financing” section above.

9. **Readiness:** The SLT has completed the appraisal, purchase agreement, site assessment, a Phase I environmental assessment, title review, and has received funding approval from the David and Lucile Packard Foundation. SLT has drafted the conservation easement with the SCAPOSD and expects project approval from the SCAPOSD Board of Directors November 26, 2013. WCB expects to consider approval of its funding contribution at its December 2013 meeting.
10. **Cooperation:** SLT will extend the management collaboration it has with the Wildlands Conservancy on the adjacent Jenner Headlands property to Pole Mountain and SCAPOSD will have ongoing stewardship obligations to manage and monitor the conservation easement in cooperation with SLT.
11. **Vulnerability from climate change impacts other than sea level rise:** While the outcome of a warming climate is uncertain, protecting habitats crucial to the rare species currently occupying the site will provide the greatest opportunity for resilience and successful adaptation to potential changes in climate. The likelihood and magnitude of climate change-induced changes to the region is unknown. Regardless of the changes that might take place, acquiring the property and maintaining large, intact land areas will provide routes for species migration and ensure that wildlife and plants have options as they respond to the habitat changes that result from warming temperature.

With its diverse topographical and biological attributes, Pole Mountain meets many of the criteria that scientists are recommending land trusts take into account when targeting projects: it provides many upslope areas; it contributes to a large area with sufficient habitat diversity, topography, and habitat linkages to allow for the migration of species adjusting to changes in local climatic conditions; and it creates significant habitat linkages and prevents habitat fragmentation.

#### **CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The Pole Mountain Property lies outside the Coastal Zone and is not under the jurisdiction of Sonoma's Local Coastal Program. Protection of the Pole Mountain property is consistent with the Open Space and Resource Conservation Element of the *2020 Sonoma County General Plan*, adopted in 2008. Pole Mountain is identified as a Habitat Connectivity Corridor within a designated Biotic Habitat Area of oak woodland. Section 3.1 of the General Plan states that "maintaining and improving opportunities for habitat connectivity throughout the County is essential for protecting biodiversity and sustaining native plant and animal populations".

#### **COMPLIANCE WITH CEQA:**

Acquisition of the Pole Mountain is categorically exempt from the requirements of the California Environmental Quality Act under 14 Cal. Code of Regulations Section 15325 because it involves the acquisition of ownership interests in land to preserve open space and wildlife habitat or restore natural conditions, including plant or animal habitats. Staff will file a Notice of Exemption upon approval of the project.